

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

03-R-1872

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO AMEND THE CITY'S RETAINER AGREEMENT WITH THE LAW FIRMS OF KILPATRICK STOCKTON, LLC AND JOHNSON & FREEMAN, LLC TO PROVIDE FOR THE CONTINUED SERVICE OF THOSE FIRMS AS OUTSIDE COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH CONTRACT MATTERS, CONSTRUCTION MANAGEMENT ISSUES, INFRASTRUCTURE, TELECOMMUNICATIONS AND ENVIRONMENTAL ISSUES, LITIGATION MATTERS, AND OTHER MATTERS CONCERNING HARTSFIELD ATLANTA INTERNATIONAL AIRPORT AND THE DEPARTMENT OF AVIATION; TO AUTHORIZE EXPENDITURES FOR THAT PURPOSE IN AN AMOUNT NOT TO EXCEED \$3 MILLION, TO BE FUNDED OUT OF FAC NO. 2H21 524001 H11001; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to Resolution No. 02-R-2114, adopted by the City's Council on December 2, 2002, and approved by the Mayor on December 10, 2002, the City Attorney was authorized to retain the firms (the "Firms") of Kilpatrick Stockton, LLC and Johnson & Freeman, LLC to represent the City's Departments of Law and Aviation in matters relating to contract issues, construction management issues, infrastructure, telecommunications and environmental issues, and other matters specifically relating to the Hartsfield Development Program and the Hartsfield Masterplan;

WHEREAS, the Firms have been providing such legal services to the City's Law and Aviation Departments in a satisfactory manner and it is desirable and in the best interests of the City to continue to retain the Firms to provide counsel on such Airport matters;

WHEREAS, it is further desirable to continue to retain such Firms to provide additional legal services relating to litigation matters and the City's plan to review and improve its procurement process, including its desire to, at first, create new, updated and improved procurement documents necessary for the Airport to continue to procure a variety of goods and services on business and legal terms advantageous to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ATLANTA, GEORGIA that the City Attorney is authorized to continue to retain the services of the Firms to serve as outside counsel for the City on matters relating to contract issues,

construction management issues, infrastructure, telecommunications and environmental issues, litigation matters, and other matters specifically relating to the Hartsfield Development Program and the Hartsfield Masterplan, and to further provide legal counsel concerning the development of new, updated and improved procurement documents necessary for the Airport to continue to procure a variety of goods and services on business and legal terms advantageous to the City;

BE IT FURTHER RESOLVED that the City Attorney is authorized to execute an Amendment to, or other appropriate documentation concerning, the Retainer Agreement with the firms outlining such continued legal services, in an amount not to exceed \$3 million;

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to remit payment of all legal fees, expenses and costs due for the services rendered by the Firms and their consultants in connection with the foregoing matters once approved by the City Attorney or her designee for payment in an amount not to exceed \$3 million, to be paid from Fund Account and Center Number 2H21 524001 H11001.